

### REMARKS

1. Reconsideration and further prosecution of the above-identified application are respectfully requested in view of the amendments and discussion that follows. Claims 1-37 are pending in this application.

Claims 1, 2, 4-9, 12, 13, 18, 19, 21-24, 27, 28, and 32-36 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Pat. No. 5,903,641 to Tonisson. Claims 3, 10, 11, 14-17, 20, 25, 26, 29-31, and 37 have been rejected under 35 U.S.C. §103(a) as being obvious over Tonisson in view of U.S. Pat. No. 5,978,465 to Cordoroy et al. After a careful review of the claims, it has been concluded that the rejections are improper and the rejections are therefore traversed.

2. Independent claims 1, 18 and 32 have been further limited to the method step (and apparatus for) "selecting at least one operational parameter of the contact center through the supervisors terminal" to more precisely claim the subject matter of the invention. Support for the uses by the supervisor of the supervisor terminal 28 may be found at page 5, lines 12-23. Support for selection of operational parameters of the contact center by the supervisor may be found at page 6, line 17 to page 7, line 14.

3. Claims 1, 2, 4-9, 12, 13, 18, 19, 21-24, 27, 28, and 32-36 have been rejected as being anticipated Tonisson. In particular, the Examiner asserts that

"As to claim 1, Tonisson discloses the invention as claimed including a method of allocating resources of a contact center (abstract; and col. 2, lines 60-61) comprising the steps of: electronically monitoring at least one operational parameter of the contact center (col. 1, lines 64-65; and col. 2, lines 12-13); performing a comparison between the operational parameter and a threshold value for the operational parameter (col. 10, lines 26-36; and col. 11, lines 6-11); and determining, based on the comparison, whether an action to be taken to affect allocation of resources of the contact center is necessary (col. 10, line 33 to col. 11, line 12; and Fig. 4)."

It is noted first in this regard that it is believed that Tonisson specifically excludes the subject matter of the claimed invention. More specifically, Tonisson explicitly states that "Customers typically use a variety of metrics to measure call-center performance. These include oldest-call waiting (OCW), average speed of answer (ASA), and service level. This model does not take into account these measures because they can all be viewed as indicators of the percentage of utilization of the resources available for handling calls in the given skill. E.g., if the EWT for sales is too high, then this indicates that there are insufficient resources allocated to sales, i.e., the estimate of call volume for sales needs to be increased." (Tonisson, col. 7, lines 38-47).

Further, the examples given in the specification are clearly directed to the sufficiency <sup>or</sup> insufficiency of resources. For example, service level is explicitly excluded by Tonisson and is described in the specification at page 7, lines 15-23. The moving of agents from one agent group to another in anticipation of one-time marketing and promotional campaigns is clearly related to the sufficiency or insufficiency of agents in those groups

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and is described at page 8, lines 1-6. Other examples of the sufficiency or insufficiency of agents are described at page 8, lines 7-10 and include the times when contacts occur, the number of agents assigned to a particular agent group and the number of agents available to service the contact center (taking account of agents who are unavailable due to illness, vacation, etc.).

Since Tonisson clearly excludes the subject matter of the claimed invention, Tonisson clearly does not anticipate the claimed invention. Since Tonisson clearly does not anticipate the claimed invention, the rejection is improper and should be withdrawn:

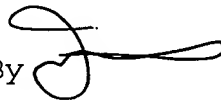
4. Claims 3, 10, 11, 14-17, 20, 25, 26, 29-31, and 37 have been rejected as being obvious over Tonisson in view of Cordoroy et al. However, as demonstrated above, Tonisson could not be modified as demonstrated above, because Tonisson explicitly excludes the subject matter of the claims. Since Tonisson explicitly excludes the subject matter of the claims, the modification suggested by the Examiner would still not teach each and every limitation of the claims. Since the combination of Tonisson and Cordoroy et al. does not teach each and every claim limitation, the rejection is believed to be improper and should be withdrawn.

Further, even Cordoroy et al. by itself or in combination with Tonisson is also insufficient to teach or suggest the subject matter of the claims. For example, the claims are now limited to selection of at least one operational parameter of a plurality of operational parameters of the contact center, electronically monitoring the selected parameter and performing a comparison between

the operational parameter and a threshold value for the selected operational parameter. At best, Cordoroy et al. is directed to control of a single parameter such as inbound calls and to comparing the inbound call level with first and second threshold values. The single parameter of Cordoroy et al. could also be applied to other call center resources. Since Cordoroy et al. fails to provide any teaching or suggestion of an intelligent agent and supervisor terminal that allows the supervisor terminal to select from among a plurality of operational parameters of the call center, Cordoroy et al. fails to provide any teaching or suggestion of the claimed invention.

5. Allowance of claims 1-37, as now presented, is believed to be in order and such action is earnestly solicited. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, he is respectfully requested to telephone applicant's undersigned attorney.

Respectfully submitted,  
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